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## Request For

## Continued Examination (RCE) **Transmittal**

Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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Application Number	09/352093-Conf. #1685			
Filing Date	July 14, 1999 REO			
First Named Inventor	Michael S. Hsu			
Art Unit	1742	า กร		
Examiner Name	D. Valentine	J		
Attomey Docket No.	HSE-20CPCN2RCE2			

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).						
a. Previous may be	a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.					
i. Con	sider the arguments in the Appeal Brief or	Reply Brief pre	eviously	filed on		
iiOthe	er					
b. x Enclose	d					
i. Ame	i. Amendment/Reply iii. X Information Disclosure Statement (IDS)					
ii. Affic	davit(s)/Declaration(s) iv.	1	•	o Lift Suspension of Ex Parte on of Application		
2. Miscellaneous						
a. Suspens	= sion of action on the above-identified appli	ication is requ	iested ι	inder 37 CFR 1.103(c) for a		
period o	f months. (Period of suspensi	ion shall not exc	ceed 3 m	onths; Fee under 37 CFR 1.17(i) required)		
b. Other						
3. Fees The RC						
a. X The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 12-0080						
i. X RCE	i. X RCE fee required under 37 CFR 1.17(e) 12/11/2003 DTESSEH1 00000174 120080 09352093					
ii. Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 385.00 DA						
iii. Other						
b. Check in the amount of \$ enclosed						
c. Payment by credit card (Form PTO-2038 enclosed)						
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED						
Name (Print/Type)	Ralph A. Loren	Registration				
Signature	MA		Date	December 5, 2003		

	nce is being deposited with the U.S. Postal Servic IS RCE, Commissioner for Patents, P.O. Box 145	
shown below.		o, Alexandra, VA 22515-1450, Office date
Dated: December 5, 2003	Signature: MM	(Palph A Loren)



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
DEC 1 5 2003
TC 1700

In re the application of: Michael S. Hsu and Ethan D. Hoag

Serial No.: 09/352093

Filed: July 14, 1999

For: ULTRA-HIGH EFFICIENCY TURBINE AND

FUEL CELL COMBINATION

Attorney Docket No.: HSE-20CPCN2RCE2

Examiner: Donald R. Valentine

Group Art Unit: 1742

MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

"Express Mail" Mailing	Label Number <u>EV 354 230 230 US</u>		
Date of Deposit	December 5, 2003		
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  By: Ralph A. Loren, Reg. No. 29,325			

## REQUEST TO LIFT SUSPENSION OF EX PARTE PROSECUTION OF APPLICATION

Dear Sir:

Applicants' attorney requests that suspension of *ex parte* prosecution of the above-identified application be lifted in order to submit a Request for Continued Examination (RCE). This RCE is being filed with an Information Disclosure Statement which lists two new publications cited during the prosecution of Japanese Patent Application No. 8-507281 which corresponds to this application. Applicants consider these references to be material to the examination of the application.

Serial Number: 09/352093 Page -2- Group Art Unit: 1742

No additional costs are believed to be due in connection with the filing of this Request. However, please charge any necessary fees in connection with the enclosed Request to our Deposit Order Account No. 12-0080.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Ralph A. Loren

Reg. No. 29,325

Attorney for Applicants

28 State Street Boston, MA 02109 (617) 227-7400

Date: December 5, 2003

RAL:JJV

PTO/SB/17 (10-02) Approved for use unloagh for 1905. Only 3001. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Approved for use through 10/31/2002. OMB 0651-0032 Complete if Known FEE TRANSMITTAL 09/352093-Conf. #1685 Application Number July 14, 1999 for FY 2003 Filing Date First Named Inventor Michael S/HSQ Patent fees are subject to annual revision. **Examiner Name** D. Valentine 1742 Applicant claims small entity status. See 37 CFR 1.27 Group Art Unit HSE-20CPCN2RCE2 TOTAL AMOUNT OF PAYMENT 385.00 Attorney Docket No. METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued) Money 3. ADDITIONAL FEES Check Other None x Deposit Account Large Entity Small Entity Deposit 12-0080 Fee Account Fee Description Code (\$) Code (\$) Fee Paid Deposit 65 1051 130 2051 Surcharge - late filing fee or oath Lahive & Cockfield, LLP Name Surcharge - late provisional filing fee or cover 1052 50 2052 25 The Commissioner is hereby authorized to: (check all that apply) X Charge fee(s) indicated below X Credit any overpayments 1053 130 1053 130 Non-English specification Charge any additional fee(s) during the pendency of this 1812 2.520 1812 2.520 For filing a request for ex parte reexamination Requesting publication of SIR prior to Charge fee(s) indicated below, except for the filing fee 1804 9201 1804 9201 Examiner action Requesting publication of SIR after to the above-identified deposit account. 1805 1.840 1805 1.840 Examiner action **FEE CALCULATION** 1251 110 2251 Extension for reply within first month 1. BASIC FILING FEE 1252 410 2252 205 Extension for reply within second month Small Entity Large Entity 1253 930 2253 465 Extension for reply within third month 2254 Fee Description 1254 1,450 725 Extension for reply within fourth month Code (\$) Code (\$) Fee Paid 1001 750 2001 375 Utility filing fee 1255 1,970 2255 985 Extension for reply within fifth month 1002 330 2002 165 Design filing fee 1401 320 2401 160 Notice of Appeal 1003 520 2003 260 Plant filing fee 1402 320 2402 160 Filing a brief in support of an appeal 2004 1004 750 375 Reissue filing fee 1403 280 2403 Request for oral hearing 1005 160 2005 Provisional filing fee 1451 1 510 1451 Petition to institute a public use proceeding 1.510 1452 Petition to revive - unavoidable 110 2452 55 SUBTOTAL (1) 0.00 1453 2453 650 1.300 Petition to revive - unintentional 1501 1.300 2501 650 Utility issue fee (or reissue) 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE Extra Fee from 1502 470 2502 235 Design issue fee Fee Paid Claims below Total Claims 1503 2503 Plant issue fee 630 315 Independent Petitions to the Commissioner 1460 130 1460 130 Claims Processing fee under 37 CFR 1.17(q) 1807 1807 50 Multiple Dependent Submission of Information Disclosure Stmt 1806 180 1806 Large Entity Small Entity Fee Fee Fee Recording each patent assignment per Fee Description 8021 40 8021 40 Code (\$) Code (\$) property (times number of properties) Filing a submission after final rejection 1202 Claims in excess of 20 18 2202 9 750 2809 375 1809 (37 CFR 1.129(a)) 1201 84 2201 42 Independent claims in excess of 3 For each additional invention to be 1810 750 2810 1203 280 2203 140 Multiple dependent claim, if not paid examined (37CFR 1.129(b)) 1204 84 2204 42 Reissue independent claims 1801 750 2801 Request for Continued Examination (RCE) 385.00 over original patent Request for expedited examination 900 1802 900 1802 1205 18 2205 Reissue claims in excess of 20 of a design application and over original patent Other fee (specify) SUBTOTAL (2) (\$) 0.00 Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 385.00 \*\*or number previously paid, if greater, For Reissues, see above SUBMITTED BY Complete (if applicable) Registration No. 29,325 Name (Print/Type) Ralph A. Loren (617) 227-7400 Telephone (Attorney/Agent) Date Signature December 5, 2003

US, in an envelope addressed to: M		ervice as Express Mail, Airbill No. EV 354 230 230 1450, Alexandria, VA 22313-1450, on the date
shown below.	MAI	
Dated: December 5, 2003	Signature:	(Ralph A. Loren)